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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Mingliang Lawrence Tsai, et al

Docket: 30-4677 (4760) CONT-1

Serial Number: 10/826,037

Group Art Unit: 1773

Filed: April 15, 2004

Examiner: Ramsey E. Zacharia

For: TRANSPARENT HIGH MOISTURE BARRIER FILMS

FAX COVER SHEET

TO: Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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DATE: September 16, 2004

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GROUP : 1773

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner For Patents

P.O.Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed September 9, 2004 applicant makes the following election in response to the restriction requirement.

REMARKS

The Examiner has subjected this application to restriction under 35 U.S.C. 121. The Examiner has formed three groups of claims, Group I for claims 1-9, 11, 13-15 and 28-33 drawn to a product; Group II for claims 16-18, and 20-21 for a coextrusion process; and Group III for claims 22-24; and 26-27 for a lamination process. The Examiner has asserted that these groups of claims represent distinct inventions and may properly be restricted. Applicants hereby provisionally elect claim Group I directed to claims 1-9, 11, 13-15 and 28-33 for examination. However, the restriction requirement is traversed. It should be noted, the Commissioner may statutorily require the election of inventions "If two or more independent and distinct inventions are claimed in one application." In the instant case the Examiner is alleging that the inventions of groups one and two are distinct, although absolutely no showing of such distinctness has been made.